United Nations A/C.6/60/SR.4

General Assembly
Sixtieth session

Official Records

Distr.: General
26 October 2005

Original: English

Sixth Committee

Summary record of the 4th meeting
Held at Headquarters, New York, on 7 October 2005, at 10 a.m.

Chairman: Mr. Yáñez-Barnuevo ..... (Spain)
later: Mr. Samy (Vice-Chairman) ..... (Egypt)

Contents

Agenda item 108: Measures to eliminate international terrorism (*continued*)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of publication* to the Chief of the Official Records Editing Section, room DC2-750, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

05-53986 (E)

The meeting was called to order at 10.10 a.m.

Agenda item 108: Measures to eliminate international terrorism (*continued*) (A/59/894, A/60/37, A/60/129, A/60/164, A/60/228, A/C.6/60/2 and A/C.6/60/3)

1. **Mr. Kazykhanov** (Kazakhstan) said that the terrorist attacks in London, Baghdad, Sharm el-Sheikh, Bali and elsewhere in the world had once more shown that terrorism had become the greatest threat to all peoples and countries and to the international security system. As the scale of the threat had grown, the range of problems associated with terrorism — such as organized crime, drug-trafficking, illegal arms trade and money-laundering — had widened, placing a heavy burden on all countries. Kazakhstan strongly condemned all terrorist acts as criminal and unjustifiable, irrespective of their motivation, and believed that the fight against terrorism had to be a common effort and it could only be won through comprehensive and balanced measures taken in full conformity with the purposes and principles of the Charter of the United Nations and international law.

2. His Government attached great importance to the comprehensive legal framework established by the United Nations in the area of counter-terrorism. Kazakhstan was a party to all of the international conventions on terrorism, including the most recent one, the International Convention for the Suppression of Acts of Nuclear Terrorism, and it supported the early adoption of the draft comprehensive convention on international terrorism. To that end, his delegation stood ready to work with other delegations to resolve the outstanding issues. Kazakhstan had also been working to implement Security Council resolution 1373 (2001) and other anti-terrorism resolutions and would continue to do so. In that connection, in January 2005 it had hosted a meeting of the Counter-Terrorism Committee of the Security Council at which important decisions relating to counter-terrorism had been adopted.

3. Regional and subregional organizations played a critical role in efforts to enhance the effectiveness of global actions against terrorism. The Conference on Interaction and Confidence-building Measures in Asia (CICA) was one such body. Two summits held in the previous two years in the framework of CICA had led to important progress towards the establishment of an effective security mechanism in Asia. In addition, specific steps to create a regulatory framework were being taken within regional organizations such as the Shanghai Cooperation Organization, of which Kazakhstan was a member.

4. Counter-terrorism was a priority area of work for Kazakhstan at the national level. The country had established a national anti-terrorism centre, which was actively cooperating with its counterparts at the international and regional levels. It had also introduced improvements into its domestic legislation and was taking preventive measures to suppress the functioning of terrorist organizations, notably by putting in place a system to prevent money-laundering and the financing of terrorist organizations. Kazakhstan reaffirmed its resolve to continue making worthy contributions to the common fight against international terrorism.

5. **Mr. Shobokshi** (Saudi Arabia) said that the Kingdom of Saudi Arabia had suffered from terrorism and strongly condemned it in all its forms. Laws had been introduced to punish terrorists, their sympathizers and those who incited them, and in the area of combating terrorism, the Kingdom adhered to the relevant Security Council resolutions and had acceded to a number of international treaties.

6. The International Conference to Combat Terrorism had been held in Riyadh in February 2005. International and regional organizations, officials and specialists from security services in more than 60 countries had been invited to participate. The Riyadh Declaration issued by the conference confirmed international unity of purpose in combating terrorism and extremism. Among the recommendations made was the proposal to set up an international counter-terrorism centre. This had been welcomed by the Arab Summit in Algeria, the Summit of Arab and Latin American States in Brazil, and the foreign ministers of member States of the Organization of the Islamic Conference (OIC) meeting in Sanaa and New York.

7. A strong position on this matter in the United Nations would be beneficial to strengthening the Organization's role in combating terrorism, as the proposed centre would not overlap with the Counter-Terrorism Committee, Interpol or regional centres, but would work to increase their effectiveness. The exchange of information among States would remain voluntary. The centre would connect regional and national centres in one database, enabling its contents

to be exchanged and updated, and it would support the exchange and voluntary transfer of technology and training necessary to combat terrorism. It would also seek to coordinate legislation and raise awareness of the dangers of terrorism and incitement, all of which was in accordance with Security Council resolution 1624 (2005).

8. It had been proposed to set up a task force under United Nations auspices, composed of experts from States which had participated in the Conference and other States, with the help of Counter-Terrorism Committee experts, to study the Conference's recommendations and the proposal to set up the international centre and to deliver a report to the General Assembly at its sixty-first session.

9. International efforts to fight terrorism would not succeed unless they were accompanied by efforts to address the conflicts caused when people's legitimate rights were taken from them. His Government was opposed to any attempt to deprive people living under occupation of their right to self-determination. International legal decisions were the only avenue to resolving deep-seated conflicts and the tensions they caused. A fair and comprehensive solution was needed for the Arab-Israeli dispute but the peace process in the region had faltered due to double standards and selectivity, and decisions upholding international legal principles had been continuously violated.

10. **Mr. Chowdhury** (Bangladesh) said that Bangladesh unequivocally condemned terrorism in all its forms and manifestations. It had ratified 12 of the international conventions on terrorism and was currently completing the constitutional procedures for accession to the recently adopted International Convention for the Suppression of Acts of Nuclear Terrorism. It was also a party to the South Asian Association for Regional Cooperation Regional Convention on Suppression of Terrorism. In addition, it had put in place the necessary domestic legislation on terrorism and was in full compliance with its obligations under the various Security Council resolutions.

11. His delegation regretted the deliberate attempt by some to link terrorism with certain faiths and wished to stress that terrorism was antithetical to the teachings of Islam, which advocated peace, tolerance, non-violence and harmony. Bangladesh believed that terrorism could not be fought by military means or instant retribution alone. A holistic approach was needed, one that addressed the political and socio-economic injustices that were the underlying causes of the phenomenon. It was also essential to promote dialogue, cooperation and understanding among different cultures, civilizations and faiths.

12. The Sixth Committee had always played a critical role in the development and codification of international law, but its work had taken on added significance in the light of the mandate from the 2005 World Summit to negotiate and conclude a comprehensive convention on international terrorism during the sixtieth session of the General Assembly. The Committee should realize that collective commitment on an issue that was of vital importance to all countries.

13. It was logical that such a convention should contain a legal definition of terrorism and of what constituted a terrorist act. Bangladesh wished to reiterate that the definition of terrorism was a legal issue, not a political one, and it should therefore be dealt with in the Sixth Committee. At the same time, his Government reiterated its demand that the draft comprehensive convention should distinguish between terrorism and the legitimate right to self-determination and the struggle for independence of peoples under foreign occupation. It also renewed its call for the convening of a high-level conference under the auspices of the United Nations to formulate an international response to terrorism. That response should include a universal counter-terrorism strategy that fully respected human rights and took account of the conditions that were conducive to the spread of terrorism. The elements identified by the Secretary-General in his report, "In larger freedom: towards development, security and human rights for all" (A/59/2005), might serve as a basis for such a strategy. The adoption by consensus of a comprehensive convention on international terrorism would be a milestone in the history of mankind. The Committee must not miss that momentous opportunity on any grounds.

14. **Mr. Hannesson** (Iceland) said that the fight against terrorism was of fundamental importance to every nation, as it was a global problem that threatened peace and security everywhere. Terrorism was a crime which must never be tolerated or excused; there was no such thing as justifiable terrorism. All forms of terrorism must be fought and all terrorist acts

condemned. States, together with regional and international organizations, must unite and cooperate to eliminate terrorism, but in order to do that, the nations of the world must agree upon a generally acceptable definition of the term "terrorism". The various resolutions and international conventions adopted to date had created a framework for cooperation. However, to maximize the effect of those instruments, all nations must become parties to them. Iceland had ratified and was implementing the 12 previous conventions and protocols on terrorism, and it had just signed the new International Convention for the Suppression of Acts of Nuclear Terrorism. His delegation urged States that had not yet ratified those instruments to do so as soon as possible.

15. Iceland continued to work with the Counter-Terrorism Committee and its Executive Directorate and with the Al-Qaida and Taliban Sanctions Committee. In the First Committee, it had consistently supported measures to prevent terrorist groups from obtaining weapons of mass destruction. In the Third Committee, it had repeatedly voiced the view that, in the fight against terrorism, international agreements on human rights and humanitarian law must be upheld. In the Sixth Committee, Iceland had supported the work on the nuclear terrorism convention and urged the conclusion of the draft comprehensive convention on international terrorism during the current session of the General Assembly.

16. States must keep in mind that, in order to become functional links in the chain of defence against international terrorism, they must exercise the same alertness and preparedness at home as in the international arena. To that end, Iceland had been reorganizing its national responses to potential terrorist acts, inter alia, by strengthening the special police unit that dealt with terrorism, reviewing its legislation and formulating plans for responding to terrorist threats in Icelandic air space.

17. **Mr. Baali** (Algeria) said that Algeria condemned in the strongest possible terms all acts of terrorism and renewed its commitment to the struggle against it. The international community had made significant strides in that struggle through the measures taken by the General Assembly and the Security Council. Nevertheless, the framework put in place by the United Nations remained insufficient, from both an operational and a normative standpoint, owing largely to the sectoral approach that had been employed, as a result of which a number of activities related to terrorism had not been addressed by the various international conventions adopted to date. Algeria therefore wished to see, during the sixtieth session of the General Assembly, agreement on a draft comprehensive convention which would fill those lacunae, notably through the inclusion of an agreed legal definition of terrorism and through delimitation of the convention's scope of application in order to avoid any confusion between terrorism and the legitimate struggle of peoples for freedom or self-determination.

18. In the fight against terrorism, it was important to eschew reductionist approaches and to address underlying causes, including anything that might create a fertile environment for the emergence of terrorist movements, such as foreign occupation, poverty or extremism. It was also necessary to recognize terrorism's capacity for adaptation and globalization and to counter it by strengthening international cooperation, not only through accession to international instruments but also through the adoption of measures for mutual legal assistance, information-sharing and operational cooperation by the services engaged in combating terrorism. In addition, Member States must act swiftly and effectively to eliminate sources of financing for terrorists, dismantle their logistic support networks, stifle their propaganda apparatuses and stop them from recruiting new terrorists.

19. Significant progress had been made at the regional level in combating terrorism. In Africa, the Organization of African Unity Convention on the Prevention and Combating of Terrorism had entered into force and its accompanying plan of action was being implemented. Similar efforts, in which Algeria had played an active role, had been undertaken within the Organization of the Islamic Conference and the League of Arab States. However, in order for actions at the regional and subregional levels to be as effective as possible, they had to be coordinated and harmonized, and it was within the framework of the United Nations that such coordination and harmonization could and should occur. In that connection, his delegation fully supported the proposal to convene a high-level conference under the auspices of the United Nations to formulate an international response to terrorism in all its forms and manifestations. In addition, the international community had a duty to assist States,

particularly by making available the necessary equipment, to enable them to fulfil their obligations under the various international instruments.

20. Algeria remained convinced that respect for human rights was an essential parameter in the struggle against terrorism. The Security Council had just adopted resolution 1624 (2005), which called upon all States to adopt measures to prohibit incitement to commit terrorist acts and deny safe haven to persons responsible for such acts. That resolution represented a notable advance in debunking the fallacious notion that the imperative of combating terrorism was somehow antithetical to respect for human rights. His delegation hoped that the noble rights of asylum and freedom of expression, including expression via the Internet, would thus no longer be exploited in the service of terrorism. Algeria also hoped that decisive action would be taken in regard to two issues: criminalization of the glorification of and incitement to commit terrorist acts through any information or communication media by persons living, residing or sojourning in the territory of any other State or States; and prohibition and criminalization of the printing, publication and dissemination by such persons of any bulletins, announcements or pamphlets advocating criminal terrorist attacks on the interests and security of any other State or States.

21. In conclusion, Algeria stood ready to continue consultations on the draft comprehensive convention on international terrorism. In that regard, it might be useful to obtain the views of experts in international humanitarian law concerning the convention's scope of application in legal and technical terms.

22. *Mr. Samy (Egypt), Vice-Chairman, took the chair.*

23. **Mr. Kariyawasam** (Sri Lanka) said that the signing by 89 countries of the newly concluded International Convention for the Suppression of Acts of Nuclear Terrorism demonstrated the commitment of the international community to combating terrorism in all its forms and manifestations. At the high-level plenary meeting of the General Assembly on 15 September 2005, the President of Sri Lanka had identified terrorism, poverty and disease as the three scourges that continued to threaten humankind and had emphasized the importance of addressing them in a holistic manner. Because of the adverse impact of terrorism, not only on peace and security but also on human rights and fundamental freedoms, she had also stressed the importance of strengthening the collective ability of the intergovernmental system to combat it.

24. The Committee had made important contributions to the development of a comprehensive legal regime and Security Council resolution 1624 (2005) represented a step forward in addressing the matter of incitement to terrorism. Much, however, remained to be done not only in implementing existing international instruments, but also in addressing the political, social and economic issues that gave rise to terrorism. It was important to recognize that adopting conventions was not enough; practical implementation measures must also be launched, in good faith. The time had come to further elaborate the United Nations institutional framework for coordinating efforts to implement terrorism conventions and to tackle related issues.

25. As noted by the Secretary-General in his report, "In larger freedom" (A/59/2005), the international legal regime must be extended to encompass transnational networks of armed non-State actors involved in illicit arms procurement and financing of terrorism, who showed utter contempt for democracy while exploiting its processes. The challenge of developing comprehensive legal and other measures would demand international political will, commitment and focus.

26. Reports indicated that terrorism was handled differently under different circumstances and in different places. Treating terrorist groups differently on the basis of place of origin, or collective motive or ideology would shroud the matter in uncertainty, vitiate global resolve, and undermine the work of the United Nations and the Sixth Committee.

27. As Chairman of the Working Group responsible for concluding the draft comprehensive convention on international terrorism, Sri Lanka was ready to forge a consensus. It was imperative for every delegation in the Sixth Committee to demonstrate the necessary political will and flexibility to reach agreement on the outstanding issues.

28. **Mr. Ma** Xinmin (China) said that the terrorist bombing that had occurred the previous week in Indonesia was another reminder that the fight against terrorism was in the common interests of the world community. China had consistently condemned international terrorism in all its forms and manifestations and opposed the use of terrorist activities for political purposes, as well as terrorist acts

of violence committed by any State, organization, group or individual in violation of international law. China had always maintained that the fight against terrorism must be conducted in compliance with the purposes and principles of the Charter of the United Nations and other established rules of international law. It must avoid double standards and refrain from linking terrorism with any civilization, ethnic group or religion. The manifestations and causes of terrorism must be tackled at the same time.

29. China believed that the United Nations should play a leading role in coordinating the fight against international terrorism, and that the primary responsibility of the Security Council for the maintenance of international peace and security should find further expression in the fight against terrorism. In that regard, his Government supported the efforts of the General Assembly and the Security Council to strengthen United Nations assistance to Member States in their fight against terrorism and to help developing countries enhance their capacity-building for combating terrorism.

30. The Government of China believed that suppressing international terrorism required comprehensive cooperation among all nations, and had always supported the formulation of international conventions, taking an active role in the work of the Sixth Committee in that regard. Of the 13 existing international terrorism conventions, China was a party to 10 and a signatory to 2; it had recently initiated the domestic legal procedure for ratifying the Convention for the Suppression of the Financing of Terrorism. In addition, it had signed the International Convention for the Suppression of Acts of Nuclear Terrorism, and wished to honour the Russian Federation for having proposed the establishment of that instrument.

31. Furthermore, China had ratified the Shanghai Convention on Combating Terrorism, Separatism and Extremism, had entered into bilateral agreements with Kazakhstan, Kyrgyzstan, Tajikistan and Uzbekistan to combat terrorism, and was engaged in international cooperation to combat terrorism on the basis of treaties on judicial assistance in criminal matters and on extradition. In addition, China had added provisions to its Criminal Code to suppress financing for terrorism and had expanded the money-laundering provision to cover that crime.

32. The Chinese delegation had played an active part in formulating the draft comprehensive convention on international terrorism, was supporting efforts to finalize that work promptly, and hoped that all parties would work towards resolving the pending issues. It also supported the initiative to convene a high-level conference on international terrorism under the auspices of the United Nations, at an appropriate time.

33. **Mr. Almarashda** (United Arab Emirates) said that was imperative, now more than ever, to strengthen regional and international efforts to face the scourge of terrorism before it spread. All such efforts should, however, be developed within the framework of international law and the relevant human rights instruments, in order to ensure transparency and non-selectivity. All forms and manifestations of terrorism must be combated, including State terrorism, which violated the right of peoples to self-determination. Moreover, negative practices associated with terrorism must be confronted, including attempts made by some to associate terrorism with a religion or culture or society. In that regard, his Government supported the holding of an international conference under the auspices of the United Nations, in order to contribute to a clear definition of terrorism and to differentiate it from the legitimate struggle of people under foreign occupation.

34. The United Arab Emirates, firmly condemning all acts of terrorism, reaffirmed its commitment to strengthening measures to eliminate terrorism under Security Council resolutions 1373 (2001) and 1267 (1999). It had taken legislative, legal and supervisory measures, including the establishment of a national counter-terrorism committee comprising all the ministries, which exercised control over bank transactions, border controls and immigration, the freezing of bank accounts and the enactment of a money-laundering law, and was working with other Governments and Interpol.

35. Furthermore, the United Arab Emirates was a party to various United Nations counter-terrorism instruments, among them the International Convention for the Suppression of Terrorist Bombings and the International Convention for the Suppression of the Financing of Terrorism, and welcomed the recent adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism. It hoped that consultations on the draft comprehensive convention on international terrorism would lead to a

consensus and supported the proposal of Saudi Arabia to establish an international centre for combating terrorism.

36. **Ms. Bovi** (San Marino) said that terrorism was one of the most difficult challenges facing the world community because it was perpetrated by people who had no respect for human life. The Government of San Marino condemned international terrorism in all its forms and manifestations and was committed to eliminating that devastating affliction. It supported the Secretary-General's call for the formulation of a comprehensive strategy to combat terrorism, and hoped that a consensus could be reached on a draft comprehensive convention on international terrorism during the current session of the General Assembly.

37. In the view of San Marino, the definition of terrorism contained in the text of the proposed draft convention provided an excellent basis for an appropriate formulation. Her Government also believed that measures of suppression should be complemented by dialogue, with a view to understanding the reasons for terrorism and eradicating its causes; cooperation among States, with a view to preventing and combating terrorism; and full respect for international law, including the Charter of the United Nations. San Marino was a strong believer in the value of persuasion and the importance of promoting education and tolerance.

38. Although there was a need for a comprehensive convention, there was still much to be done to implement existing instruments by updating legislation and improving financial and banking cooperation. Defeating terrorism would require the strong cooperation at the regional and international levels, the full commitment of all countries and a flexible approach to seeking common solutions.

39. **Mr. Mukongo Ngay** (Democratic Republic of the Congo) said that his delegation pledged its full cooperation in responding to the call contained in paragraph 83 of the 2005 World Summit Outcome to conclude a comprehensive convention on international terrorism during the current session. The Democratic Republic of the Congo reiterated its firm condemnation of terrorism in all its forms and manifestations, but stressed that the fight against terrorism should not entail a denial of human rights. Over the long term, priority must be given to finding peaceful means to conflict resolution, a concept enshrined in Chapters VI and VII of the Charter.

40. Unfortunately, in the Great Lakes region of Africa some backward countries continued to believe in the virtues of force and military action to resolve conflicts; that was another kind of terrorism which must also be vigorously combated. A better approach would be to coordinate police, security and intelligence services more effectively within and among States and to share information.

41. In the Democratic Republic of the Congo the provisions of Security Council resolution 1373 (2001) had begun to be implemented. A national counter-terrorism coordinating committee had been formed, and the process of incorporating conventions and protocols into domestic law had begun, with a view to establishing the competency of the courts to prosecute the perpetrators of terrorist acts, and to cooperating with other States and international and regional organizations so as to bring such persons to justice. The national law on money-laundering and the financing of terrorism contained provisions for preventing and detecting such activities. Furthermore, a new military penal code set out definitions and penalties for terrorism, genocide, crimes against humanity and war crimes — matters previously not covered in the national legislation. In a 2004 decision the Congolese High Military Court had handed down severe sentences, including the death penalty and life imprisonment, to officers in the armed forces convicted of terrorist acts.

42. The Government had submitted three reports to the Counter-Terrorism Committee and was preparing its fourth report. It hoped that that Committee would take note of the significant strides it had made and would continue to help harmonize its domestic legislation and procure technical assistance in the financial and regulatory fields. It also wished to thank the United Nations Office on Drugs and Crime for helping to organize a seminar in Kinshasa to train Congolese experts and the United States Government for holding a seminar in Kinshasa on the legal aspects of the fight against terrorism for security experts, police officers, members of the armed forces and representatives of human rights organizations.

43. Lastly, his delegation urged a conclusion of the negotiations on the draft comprehensive convention on international terrorism, and supported continued

consideration of the convening of a high-level conference on terrorism. It considered the International Convention for the Suppression of Acts of Nuclear Terrorism to be an important addition to existing counter-terrorist instruments.

44. **Ms. Bakyono** (Burkina Faso) said that although the General Assembly had discussed international terrorism for the past 30 years, the world regrettably still suffered from such barbarous, ignoble and heinous acts. Her Government reiterated its firm condemnation of terrorism and its full determination to take part in all international initiatives to combat that criminal madness. Accordingly, Burkina Faso supported a speedy conclusion to the process of formulating the draft comprehensive convention on international terrorism as well as the proposal to hold a high-level conference on terrorism, and fully approved the comprehensive strategy proposed by the Secretary-General.

45. Burkina Faso was a party to 12 international conventions relating to terrorism and had just signed the International Convention for the Suppression of Acts of Nuclear Terrorism. It had also ratified the regional counter-terrorism conventions of the African Union and the Organization of the Islamic Conference, and had initiated measures at the legislative, regulatory and institutional levels to implement those instruments. In January 2005, a national seminar had been held in Ouagadougou, with the assistance of the United Nations Office on Drugs and Crime, on the incorporation of the provisions of counter-terrorism instruments into the national legal framework.

46. In order to defeat terrorism, its root causes must also be addressed. Concerted efforts must therefore be taken to reduce injustice, inequality, exclusion and misery. Whether rich or poor, weak or strong, all States must stand together to bring that struggle to conclusion.

47. **Mr. Metelitsa** (Belarus) said that recent terrorist attacks in various parts of the world had shown that no country was inviolable, whatever its social, cultural or religious characteristics. The world community should provide a coordinated response. It had long been clear that an integrated and balanced counter-terrorism strategy was required, uniting every country, both great and small, on the basis of the purposes and principles of the Charter of the United Nations. Although the elements for negotiation put forward by the Secretary-General were useful, they did not go far enough, principally because they did not put sufficient emphasis on the root causes of terrorism. Poverty, armed conflicts and international tensions were among the factors that encouraged the spread of terrorism and swelled the ranks of terrorist organizations. It was therefore essential to promote dialogue, tolerance and understanding between civilizations, peoples and social, economic and political systems. Suppression and coercion were not the primary methods of rooting out terrorism.

48. The adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism bore witness to the growing awareness by States of the real dangers of the criminal use by terrorists of nuclear materials and their access to nuclear weapons. His Government had taken the first steps towards becoming party to the Convention, which had been signed by the President of Belarus. The General Assembly would, he was confident, be able to agree on a draft text for a comprehensive convention on international terrorism. The problem of distinguishing between terrorism and the struggle of peoples for self-determination constituted a significant stumbling block, however, and success in drafting an agreed text would depend on compromise and respect by all positions. His Government valued the contribution of the Security Council committees relating to counter-terrorism and was making every effort to work with the Security Council on the relevant counter-terrorism resolutions.

49. It was crucial that technical assistance to develop counter-terrorism capacity should be stepped up and put on a systematic basis, in order for States to implement international counter-terrorism agreements fully. Such work was currently being done by the Counter-Terrorism Committee Executive Directorate and by the United Nations Office on Drugs and Crime. The division of responsibilities between them with regard to technical assistance, however, was insufficiently clear-cut. Perhaps the Counter-Terrorism Committee could restrict itself to identifying and assessing States' needs for technical assistance, while the task of providing and coordinating such assistance should be entrusted to the United Nations Office on Drugs and Crime. His delegation was ready to consider any proposals to improve United Nations counter-terrorism mechanisms. Such proposals should, however, be discussed collectively by all Member

States, with due regard for the competence of the General Assembly.

50. **Mr. Arrad** (Bahrain) said that combating terrorism should be a top priority for all nations because terrorism was not only a threat to peace and international security but also an obstacle to development. The scourge of terrorism could only be eliminated through intensive and concerted efforts. Rooting out terror would require addressing its root causes, and terrorism needed to be distinguished from the struggle of peoples to achieve their independence in accordance with international law. The phenomenon of terrorism was not associated with any religion, culture or ethnicity. The Kingdom of Bahrain stood firm against any attempt to associate Islam with any incitement to victimization or murder of human beings.

51. Bahrain was party to many international and regional counter-terrorism agreements, and worked together with other members of the Gulf Cooperation Council to combat money-laundering and the financing of terrorism in the Middle East and North Africa. It supported the proposal of Saudi Arabia to establish an international counter-terrorism centre. It also welcomed the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism and urged increased efforts for the adoption of a comprehensive agreement on terrorism.

52. **Ms. Al-Ghanem** (Kuwait) said that Kuwait condemned terrorism in all its forms, regardless of motivation or pretext, and rejected the association of terrorism with any religion, ethnicity or group. All States wished to conclude a comprehensive convention on international terrorism, but such a convention should include a definition of terrorism that did not confuse terrorism with the right of peoples to struggle against foreign occupation.

53. Kuwait had submitted its fourth report to the Counter-Terrorism Committee in December 2004 and a report to the Security Council Committee established pursuant to resolution 1540 (2004) in March 2005. Kuwait was committed to implementing the provisions of resolution 1267 (1999) on freezing funds and assets of individuals or entities on the related consolidated list, although it wished to point out the problem of confusion of names, which sometimes resulted in the freezing of funds of individuals with no connection to terrorism. It hoped that a mechanism would be developed to deal with cases where was no response to a de-listing request, even though a requesting State had submitted all necessary documentation, and that the relevant Security Council committee would take an active role in that matter.

54. Kuwait was already party to nearly all the international instruments relating to terrorism, and the Kuwaiti Parliament was currently considering the International Convention for the Suppression of the Financing of Terrorism, the Arab Convention on the Suppression of Terrorism, and the Convention of the Organization of the Islamic Conference on Combating International Terrorism. Kuwait also supported the convening of a high-level conference under the auspices of the United Nations to study the root causes of terrorism and develop solutions. Kuwait also supported the proposal of Saudi Arabia for the establishment of an international counter-terrorism centre.

55. **Mr. Zarkashi** (Malaysia) said that, despite — or perhaps because of — the concerted action launched against international terrorism since the attacks of 11 September 2001, the number of terrorist incidents around the world had increased, showing that terrorists could strike at any time and place of their choosing. Terrorists increasingly aimed their attacks at "soft" targets rather than Governments or military targets, and continued in their attempts to attribute a just cause to their acts of violence. They would not succeed in their efforts to demoralize the countries and people they attacked. However, there could be no "winner" in the war on terror, only more unnecessary loss of life.

56. Malaysia, having survived 42 years of suffering during the communist insurgency, had learned valuable lessons which could help the current global effort to fight terrorism. Peace had ultimately been won not by capitulating to the terrorists' demands but by nullifying their claims to legitimacy, thereby depriving them of the moral high ground and of support. Malaysia therefore advocated efforts to identify and deal effectively with the underlying causes of terrorism. Without diminishing the importance of the existing international instruments against terrorism, it was imperative to agree on a definition of terrorism so as to close any legal loopholes that allowed terrorists to escape justice. Malaysia supported the call for a high-level conference under United Nations auspices to formulate a joint international response to terrorism. At the same time, the fight against terrorism should not

diminish respect for international law, including humanitarian law, and the right to self-determination.

57. Malaysia was taking action to implement the existing international instruments and the various regimes intended to deprive terrorists of funds and access to weapons, including the International Convention for the Suppression of Acts of Nuclear Terrorism, which it had recently signed. It would soon ratify the Protocol for the Suppression of Unlawful Acts of Violence at Airports Serving International Civil Aviation, Supplementary to the Convention for the Suppression of Unlawful Acts against the Safety of Civil Aviation. Malaysia was also committed to finalizing the draft comprehensive convention on international terrorism and was optimistic that the outstanding issues could be resolved.

58. The increase in transnational crime, including terrorism, also highlighted the need for international cooperation among law enforcement agencies. The value and effectiveness of the International Criminal Police Organization (Interpol) was well known, but bilateral cooperation between national law enforcement agencies was also vital. The timely gathering and exchange of information and the provision of mutual legal assistance in criminal matters were essential in order to bring terrorists and their supporters to justice.

59. In 2003 Malaysia had initiated negotiations on a Treaty on Mutual Legal Assistance in Criminal Matters among members of the Association of Southeast Asian Nations (ASEAN). That Treaty had been concluded and signed by eight members of ASEAN in 2004 and to date had been ratified by Malaysia and Singapore. Malaysia looked forward to further signatures and ratifications in the near future.

60. The Southeast Asia Regional Centre for Counter-Terrorism, established in Kuala Lumpur in 2003, had made a major contribution to capacity-building in the ASEAN region through training programmes run in cooperation with a number of other countries. In addition, the Royal Malaysia Police continued to organize training programmes to share the knowledge gained from the years of fighting the communist insurgency. Further training programmes were planned in order to enhance the capabilities of regional law enforcement authorities in combating terrorism.

61. Malaysia was also continuing its efforts to establish bilateral and multilateral arrangements for cooperation and exchange of information on counter-terrorism, such as the Agreement on Information Exchange and Establishment of Communication Procedures, which had been signed by Malaysia, Indonesia and the Philippines in 2002. Cambodia, Thailand and Brunei Darussalam had subsequently acceded to the Agreement.

62. Given the apparent reach of terrorist organizations and the threat they posed to the peace, security, stability and economic prosperity of all nations, only united efforts would succeed in combating terrorism. Malaysia reiterated its commitment to cooperating in such efforts.

63. **Mr. Erçin** (Turkey) said that terrorism posed a serious threat to peace, security, civilization, democracy, civil society and the rule of law. It also undermined human rights and fundamental freedoms, first and foremost the right to life. All forms of terrorism should therefore be condemned unequivocally. Turkey rejected any kind of pretext used by terrorist organizations to justify their heinous acts.

64. Turkey, as a country that had been a victim of terrorism, had long been drawing the attention of the international community to the serious nature of the problem. Today it was clearer than ever that terrorism was a shared problem requiring the cooperation of all. Turkey therefore attached great importance to the work being done by United Nations bodies, including the Security Council and its committees, to eliminate terrorism and to help States increase their capability to combat it. Turkey also supported the Secretary-General's suggestion to elaborate a comprehensive strategy to counter terrorism.

65. It was vital that more States should become party to the 13 international instruments against terrorism. Turkey was party to 12 of them and had signed the International Convention for the Suppression of Acts of Nuclear Terrorism on the day on which it had been opened for signature. The work being done on international instruments under the aegis of the General Assembly was invaluable, in particular the work of the Ad Hoc Committee established by General Assembly resolution 51/210 of 17 December 1996.

66. Turkey looked forward to the finalization of the draft comprehensive convention on international terrorism and favoured a broad scope of application that took account of the fact that terrorist targets included military and security personnel. Turkey also

supported the use of an operational definition, as contained in the current text. The relationship between the draft convention and the existing instruments should reflect achievements made in combating terrorism. He was confident that, with a shared determination, the draft convention would be successfully concluded by the end of the current session.

67. **Mr. Sardenberg** (Brazil) said that terrorist acts should be seen for what they were: gross violations of the most fundamental human rights, namely the right to life and the right to live free from fear. The year 2005 had seen yet more terrorist attacks against innocent civilians around the world. Brazil, a country whose identity was characterized by tolerance and diversity, condemned all such attacks in the strongest terms.

68. All countries were aware of the urgency of dealing decisively with the menace of international terrorism. However, the heightened sense of vulnerability caused by terrorist attacks should not be allowed to lead to a lack of respect for fundamental principles and rights. The fight against terrorism should not be viewed in terms of police repression alone; nor should it result in absurd, indiscriminate deaths similar to those caused by terrorism itself.

69. The conclusion of the International Convention for the Suppression of Acts of Nuclear Terrorism was a significant step in the fight against terrorism, and the text was a valuable addition to the existing international instruments. Brazil had signed all of those instruments and ratified 10 of them. In addition, it had already submitted five reports to the Counter-Terrorism Committee and would continue to cooperate with the Council by adopting appropriate domestic legislation and procedures.

70. Brazil urged the international community to redouble its efforts to conclude the negotiations on the draft comprehensive convention on international terrorism, the adoption of which would greatly facilitate action to combat terrorism and would also send a powerful message that the international community was determined to deal with the threat of terrorism effectively. Brazil also supported the proposal that a high-level conference should be convened, once the convention was concluded, to underscore the international commitment to developing coordinated counter-terrorism strategies.

71. **Mr. Abdelsalam** (Sudan) reaffirmed the Sudan's condemnation of terrorism in all its forms, including State terrorism, which ran counter to the nature of Sudanese society and threatened international peace and security. Sudan had been among the first States to ratify the sectoral conventions on terrorism, and was currently considering becoming a party to the Convention for the Suppression of Acts of Nuclear Terrorism. It had also fulfilled its regional obligations by hosting the second regional counter-terrorism conference, whose final declaration included a call for the harmonization of national laws to enhance the region's ability to combat terrorism.

72. Although the Sudan condemned terrorism, it noted that the deliberate confusion between terrorism and the struggle of peoples for liberation and the malicious association of terrorism with a particular religion or civilization split the international consensus for a comprehensive counter-terrorism strategy. Increased international cooperation could be brought about by a dialogue between civilizations, and Sudan supported the call for an alliance of civilizations issued by the Prime Minister of Spain the previous July. Sudan called for an international conference under the auspices of the United Nations to agree upon a strict definition of terrorism. Rather than wasting energy on superficial manifestations, drying up the sources of terrorism required treating the roots of the phenomenon, which were poverty, ignorance, despair, injustice, and foreign occupation and domination.

73. The Sudan supported the initiative of Saudi Arabia to establish an international counter-terrorism centre, the proposal by Tunisia to formulate an international code of conduct to combat terrorism, and the efforts to arrive at a comprehensive convention against international terrorism.

74. **Mr. Aljadey** (Libyan Arab Jamahiriya) said that Libya had been a victim not only of terrorism committed by individuals or groups, but of a more dangerous form of terrorism: State terrorism. The Libyan Arab Jamahiriya had been among the first countries to ask for an international conference under the auspices of the United Nations to study the phenomenon of terrorism. It renewed its call to the international community to consider the hidden causes of terrorism. Terrorism needed to be distinguished from the struggle of peoples for self-determination, which was a sacred right. While his Government condemned

terrorism, it also condemned efforts to associate terrorism with a particular religion or nationality.

75. The Libyan Arab Jamahiriya would continue to cooperate completely with the Counter-Terrorism Committee and was a party to 12 international counter-terrorism conventions, the Arab Convention to Suppress Terrorism, and the Organization of African Unity Convention on the Prevention and Combating of Terrorism. It had recently signed the International Convention for the Suppression of Acts of Nuclear Terrorism, and, while applauding its adoption, hoped that it would not be used by any State as a pretext for the use or threat of use of nuclear weapons.

76. **Mr. Pang** (Singapore) said that the latest terrorist bombings in Bali testified to the persistence of the global menace of terrorism. Following a bilateral summit meeting with the President of Indonesia held two days after the bombings, Singapore had pledged full support for Indonesia in its efforts to combat terrorism.

77. The attacks of 11 September 2001, and many more attacks around the world since then, were examples of a new kind of transnational terrorism that represented the dark side of globalization. The attacks perpetrated by Al-Qaida and its affiliates did not respect national, geographical, religious or ethnic boundaries and did not discriminate between Muslims and non-Muslims. Indeed, they were calculated not only to cause death and mayhem but to foment distrust between racial and religious communities and to provoke a backlash against Muslim communities.

78. Singapore therefore fully supported the call in the 2005 World Summit Outcome for dialogue, tolerance and understanding among civilizations. Terrorism had nothing to do with the truth of any religion. Measures to counter terrorism, therefore, should not target the followers of one religion or another, as that would be to fall into the trap set by extremists who hoped to sow division and provoke a clash of civilizations. Singapore was a multireligious and multiracial society, and maintaining a harmonious relationship between Muslims and non-Muslims was an important part of its struggle against international terrorism.

79. The fight against terrorism required the involvement of the whole international community and people of all races and religions. Useful consultations had been held in many multilateral forums, but it was now necessary to put the principles developed into practice.

80. Singapore had been the subject of terrorist threats from the Jemaah Islamiyah group and had therefore been obliged to step up its counter-terrorism efforts, with the involvement of all relevant agencies. It had also focused on raising public awareness of the terrorist threat and on strengthening societal harmony and national resilience. In addition, Singapore had been working closely with its partners in South-East Asia on areas such as intelligence-sharing and counter-terrorism training. In 2004, Singapore, Malaysia and Indonesia had begun coordinated naval patrols of the Straits of Malacca and the Straits of Singapore, which were important for world trade. The same three countries, together with Thailand, were also beginning air patrols over the Straits of Malacca.

81. Singapore was committed to the Proliferation Security Initiative (PSI), which was a useful means of filling the gaps in the existing counter-proliferation system. The Initiative took a fresh and action-oriented approach to counter-proliferation efforts. The importance of its role had been acknowledged in the report of the High-level Panel on Threats, Challenges and Change (A/59/565), which had encouraged all States to join the Initiative. To date, more than 60 countries had declared their support for it.

82. Singapore endorsed the elements of a counter-terrorism strategy identified by the Secretary-General. Such a strategy should also be based on the norms developed by the United Nations and the existing international instruments against terrorism. With regard to the draft comprehensive convention on international terrorism, it was to be hoped that all States would approach the negotiations in a spirit of compromise so as to reach a successful conclusion.

83. Terrorism threatened the very ideals of humanity and peaceful coexistence on which the United Nations was based. The international community must therefore confront it head-on and must prevail.

84. **Mr. Chaabani** (Tunisia) said that, although there had undoubtedly been an alarming and unprecedented rise in terrorist attacks worldwide, the international community should not be intimidated nor relax its determination to eliminate terrorism. It must adopt a unified approach, since split responsibilities and divergent demands could only limit its capacity to deal with the issue. Following on the success of the 2005

World Summit, the international community, in order to ward off the threats to individual countries, must display solidarity and engage in fuller coordination, at the same time seeking to address the causes of terrorism both by finding equitable solutions for a number of questions that were currently pending and by tackling poverty, exclusion and marginalization throughout the world.

85. The universality of the United Nations made it the appropriate body to adopt such an approach. That was why his delegation had suggested, as an interim measure, the convening of an international conference under United Nations auspices that would draw up an international counter-terrorism code of conduct to which States could voluntarily and freely adhere to show their political and moral commitment to a number of internationally accepted elements and principles. Improved international cooperation depended not only on a unified approach, however, but also on the harmonization of responses to the threats faced by every State, the aim being to set up an effective system of prevention and ensure that no country became a safe haven for terrorist networks.

86. Tunisia had fulfilled its obligations under the relevant Security Council resolutions and had acceded to 12 of the sectoral conventions, as well as to regional conventions and bilateral agreements on improving judicial assistance and inter-State security. It had also introduced legislation to deal with terrorist crimes, including laws on monitoring and suppressing the financing of terrorism and money-laundering. At the same time, it had taken care to conform to the human rights principles contained in international instruments and in the Tunisian Constitution. Those rights included the right to a defence, the right to a fair trial and the presumption of innocence. At the same time, it had established the Commission for Financial Analysis, which monitored transactions having a suspected link with money-laundering. Lending institutions and other financial institutions, as well as the members of certain professions, were legally required to report to the commission.

87. His delegation commended the adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism. However, there remained gaps in international law that gave terrorists room for manoeuvre. A comprehensive legal framework covering every aspect of the problem and containing a definition of terrorism that was acceptable to all parties was still required. It was to be hoped that States would show the political will to increase cooperation in that regard by completing a text that would complement the existing body of laws.

88. **Mr. Mwandembwa** (United Republic of Tanzania) said that the growing rather than diminishing frequency of terrorist attacks increased the pressure on Member States to do all within their power to finalize the draft comprehensive convention on international terrorism.

89. In paragraph 83 of the 2005 World Summit Outcome, the Heads of State and Government had committed themselves to the completion of the work during the current session. The adoption of the International Convention for the Suppression of Acts of Nuclear Terrorism, and the fact that a large number of States that had signed the Convention on the day it was opened for signature, were proof that many States were committed to the war against terrorism.

90. His Government intended to sign and ratify the Convention in the near future. He was pleased to announce that his country's ratifications of international counter-terrorism conventions had increased to nine; and the ratification process was under way in the case of the three more. The national police force had reinforced its anti-terrorism unit so as to be able to fight the terrorist threat within the country's boundaries. The authorities were also doing their best to comply with the reporting obligations imposed by the relevant Security Council resolutions. Ultimately, however, the war against terrorism could be won only through cooperation. The world community should build an effective global partnership between States and institutions to prevent and combat terrorism and violent conflicts.

91. **Mr. Kanu** (Sierra Leone) said that his country condemned terrorism in all its forms and manifestations and shared the view that terrorism constituted a threat to all that humanity stood for. In accordance with the Organization of African Unity (OAU) Convention on the Prevention and Combating of Terrorism, Sierra Leone supported all efforts to combat terrorism. However, the legitimate struggle of peoples in defence of their right to independence or self-determination must be distinguished from terrorism. At the same time, the indiscriminate killing of innocent civilians could not be justified by any cause.

92. Sierra Leone welcomed the Secretary-General's call for a global strategy to counter terrorism, which should tackle the root causes of the phenomenon, such as poverty and youth unemployment. Unemployed young people who believed they had no stake in society provided a ready target for terrorist recruitment. The connection between terrorism and inadequate economic development should be fully recognized. In that context, Sierra Leone urged the international community to assist in the implementation of the Doha Plan of Action negotiated by developing countries in June 2005.

93. Sierra Leone shared the view that human rights should never be compromised in the fight against terrorism. It therefore supported the Secretary-General's call for the appointment of a special rapporteur to examine the counter-terrorism measures taken by States and report on their compatibility with international human rights laws.

94. An effective counter-terrorism strategy required the cooperation of all States at the bilateral, regional and international levels. Such cooperation should take place in conformity with international law, and States must ensure that those who perpetrated or conspired to perpetrate terrorist acts were denied safe haven and brought to justice on the basis of the principle of *aut dedere aut judicare* (extradite or prosecute).

95. Sierra Leone was party to 12 of the international instruments against terrorism and had recently signed the International Convention for the Suppression of Acts of Nuclear Terrorism. At the national level, practical measures had been put in place to ensure that the country's territory was not used for terrorist activities. Sierra Leone would be taking a flexible approach to the negotiations on the draft comprehensive convention on international terrorism and believed that the outstanding differences of opinion could be overcome. The international community owed it to future generations to finalize and adopt the draft convention at the current session.

96. **Mr. Tajima** (Japan) said that a certain amount of progress had been made in enhancing international counter-terrorism activities through bilateral cooperation and regional and multilateral frameworks. Nonetheless, grief and tragedy continued to be visited by terrorists on people throughout the world. Counter-terrorism was of the highest priority for the protection of people and civilization. The most important element in the prevention and eradication of terrorism was to deny safe haven to terrorists. To that end, it was essential to strengthen the international legal framework and ensure that those who had committed acts of terror were brought to justice. An expeditious conclusion to the negotiations on the draft comprehensive convention on international terrorism would thus be in the interests of the entire international community. It would also demonstrate unambiguously that the United Nations had taken an uncompromising stance against terrorism. Member States had already reached agreement on almost every article of the draft convention. The remaining issue to be resolved was how to differentiate terrorism from the principle of self-determination in relation to peoples under foreign occupation.

97. The deliberate targeting and killing of civilians could not be justified by any cause or grievance. A solution to the issue of self-determination should be pursued independently of the negotiations on the draft convention. Care must be taken, however, to ensure that no ambiguity was allowed to arise with regard to the scope of the draft convention. The questions of regional stability and the protection of the people of each State should also be taken into account. A new proposal had been put forward that might be acceptable to all. Alternatively, it could serve as the basis for a consensus. His delegation trusted that Member States would show wisdom and the utmost flexibility.

The meeting rose at 12.55 p.m.